

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. BP3012)

In the Application of:	§ Group Art Unit: 2631
Li Fung Chang	§ Examiner: Juan A. Torres
	§
Serial No.: 10/791,945	§
	§
Filed: March 3, 2004	§
	§
For: INCREMENTAL REDUNDANCY	§
SUPPORT IN A CELLULAR	§
WIRELESS TERMINAL HAVING	§
IR PROCESSING MODULE	§
	§
	§

AMENDMENT AFTER BOARD DECISION UNDER MPEP §1214.07

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This application has been appealed and ruled upon the Board of Patent Appeals and Interferences. In its Decision on Appeal, the Board reversed ALL prior art rejections previously outstanding. The only matter upon which the Board affirmed the Examiner was the double patenting rejection of claims 1, 12, 16, 27, and 31 over co-pending application number 10/731,803, now U.S. Patent No. 7,164,732.

After the Board's decision, according to MPEP §1214.06, the Examiner cancelled independent claims 1 and 16, indicating such cancellation in a paper mailed 10/19/2007, with a one month reply date set.

Applicants herein amend the present application by adding previously pending claims 1 and 16 as new claims 31 and 32 and amending the dependencies of claims 2-15 and 17-31 to

depend from new claims 31 and 32 as they previously depended from claims 1 and 16, respectively. Further, Applicants herewith submit a terminal disclaimer (and requisite petition fee) to U.S. Patent No. 7,164,732 (Serial No. 10/731,803) that obviates the double patenting rejection made to previous claims 1 and 16, and which arguable would apply to new claims 31 and 32 absent such terminal disclaimer.

Under MPEP §1214.07 Reopening of Prosecution, Applicants hereby reopen prosecution ONLY for the submission of claims 31 and 32, which are identical to cancelled claims 1 and 16. According to MPEP §1214.07:

"If the amendment obviously places an application in condition for allowance, regardless of whether the amendment is filed with an RCE, the primary examiner should recommend that the amendment be entered, and with the concurrence of the supervisory patent examiner, the amendment will be entered. Note MPEP § 1002.02(d)."

Applicants respectfully request that the amendments made herein be entered with the concurrence of the supervisory patent examiner because they **obviously** place this application in condition for allowance.